



The Law Society of Upper Canada



Annual Report
2004
Performance Highlights



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THE LAW SOCIETY OF UPPER CANADA

Formed in 1797, and incorporated in 1822, The Law Society of Upper Canada is the organization responsible for governing Ontario's legal profession in the public interest.

The Law Society educates, admits and regulates the province's lawyers.

The Law Society's affairs are governed by directors known as benchers – most of whom are lawyers elected by the profession and some of whom are non-lawyers appointed by the provincial government.

THE ROLE STATEMENT OF THE LAW SOCIETY OF UPPER CANADA

The Law Society of Upper Canada exists to govern the
legal profession in the public interest by:

.....

ensuring that the people of Ontario are served by
lawyers who meet high standards of learning, competence
and professional conduct; and

.....

upholding the independence,
integrity and honour of the legal profession;

.....

for the purpose of advancing the cause of justice
and the rule of law.

Treasurer's Message

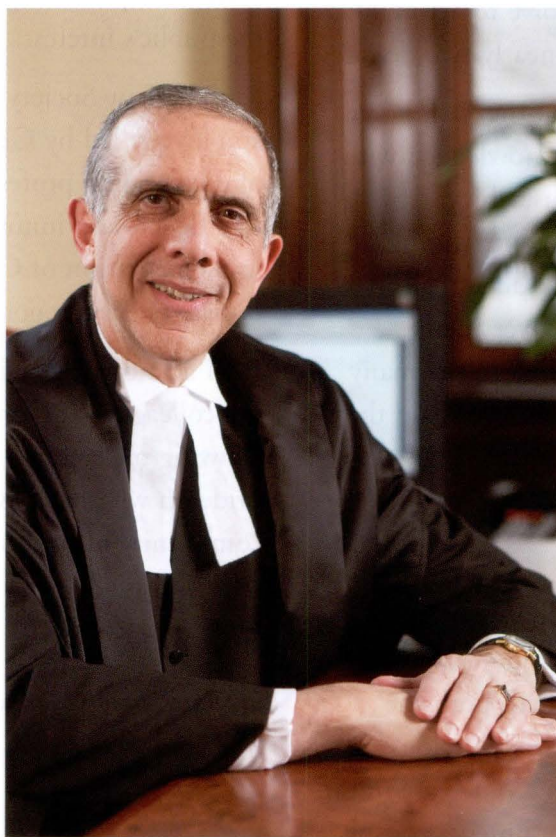
ENHANCING OUR MANDATE TO BEST SERVE THE PUBLIC INTEREST

It has been a privilege and a pleasure to serve as Treasurer of the Law Society of Upper Canada. Election to a position of leadership by one's peers is an honour, a challenge and immensely rewarding.

One of Convocation's first accomplishments when I became Treasurer was to approve significant change to the way we train, admit and license lawyers. In December 2003, Convocation approved the model for a Licensing Process which will in May 2006 replace the current Law Society admission program.

The aim of the new Licensing Process is to ensure that all candidates can demonstrate entry-level competencies and thereby confirm that they are ready to effectively provide legal services to the public.

Throughout 2004 input concerning the content of the Licensing Process was sought from members of the Bar and their participation was unprecedented. Throughout last year and culminating in February 2005, Convocation approved detailed design component reports from the Professional Development, Competence and Admissions (PDC&A) Committee.



A great deal of credit together with the sincere thanks of not only Convocation, but also the profession as a whole, must be given to the Task Force on the Continuum of Legal Education. We are now preparing to implement in 2006 a Licensing Process that is rational, relevant, fair and transparent.

The proposed regulation of paralegals, itself a major public protection issue, is another significant development addressed by Convocation this past year. We were honoured in January 2004 to have

Ontario Attorney General Michael Bryant ask us to propose a model that would allow us to regulate all legal services including those provided by paralegals.

It is worth noting that between January 2004 and the presentation of the report last fall, the Paralegal Task Force conducted consultation meetings with more than 60 stakeholders – including the courts, paralegal organizations, legal organizations, community colleges, adjudicative

Treasurer's Message

tribunals and other interested parties – and received more than 70 written submissions

On the basis of these consultations and an analysis of the work and research that had been previously undertaken, the Task Force recommended a regulatory model that provides the same protection to consumers of paralegal services as that provided for the public when they use a lawyer.

The Law Society whole-heartedly supports the Attorney General's personal resolve to act in an area that has confounded many for nearly two decades.

The work of the members of the Task Force led by Chair Bill Simpson is acknowledged with thanks. The degree of consensus achieved by members of that task force is an outstanding accomplishment. Sincere thanks also to all Benchers and Law Society employees who, over these many years, contributed to the many committees and task forces whose work laid the foundation for the report.

We have fulfilled our commitment to the Attorney General.

For decades, the Law Society has provided feedback to governments. In recent years, however, we have seen our relationships with both the provincial and federal governments develop and become stronger. We have seen an increase in the number of issues on which governments consult with us.

For a provincial regulator, a close working relationship with the Ontario government is to be expected. What has grown is our participation at the national level. For example, this year we were consulted on matters of inter-provincial mobility and on the appointment process for justices to the Supreme Court of Canada.

We also take pride in collaborative efforts accomplished with municipalities such as the City of Toronto with whom we have partnered to promote greater equity and diversity in the legal profession through initiatives such as National Aboriginal Day and Black History Month.

I believe in listening to and building strong partnerships with government, legal organizations and the community so that we might better carry out our responsibility to govern our profession in the public's interest.

The Law Society is fortunate to have in its employees; led by CEO Malcolm Heins, a team of outstanding professionals whose commitment to efficient and innovative service in the implementation of Convocation's policies and initiatives ensures good governance of the profession.

I acknowledge with sincere thanks the work of my colleagues at Convocation. I thank them for allowing me to serve as Treasurer. I look back with pride on what we have accomplished together as a community of professionals. ♦



Treasurer, Frank Marrocco, Q.C.



Chief Executive Officer's Message

HOW WE ARE WORKING IN THE PUBLIC INTEREST

Throughout 2004, we strengthened our programs and services with a view to securing for the people of Ontario a profession which meets high standards of learning, competence and professional conduct.

Our public interest mandate is well defined in the Law Society's role statement:

The Law Society of Upper Canada exists to govern the legal profession in the public interest by: ensuring that the people of Ontario are served by lawyers who meet high standards of learning, competence and professional conduct; and upholding the independence, integrity and honour of the legal profession; for the purpose of advancing the cause of justice and the rule of law.

How does the Law Society go about doing this?

We revise our professional standards on a regular basis. For example, we are constantly reviewing and strengthening our *Rules of Professional Conduct*, our bylaws, policies and procedures and practice directives – all of which guide the conduct of Ontario's more than 35,000 lawyers.

Maintaining public confidence and standards also play important roles in determining the competencies we expect of those seeking admission to the legal profession. 2004 was a pivotal year for the Law Society in that we significantly revamped the process for how students at law become lawyers in



Ontario. Approximately 1,800 of Ontario's lawyers volunteered to assist us in this process. The result, a completely revamped licensing process, that has been approved by Convocation and will be ready for 2006.

The work involved in reexamining the required competencies for entry into the profession was massive. Without the volunteer assistance of the members of the profession it couldn't have been done. All aspects of the program have been reviewed and reformed. I would like to extend

Chief Executive Officer's Message

my personal thanks to all of those members who volunteered their time and energy in assisting us with this fundamentally important work.

In 2004, we also focused on continuing to enhance access for lawyers to legal resources, materials and learning. For example, we saw record attendance with more than 20,000 lawyers participating in continuing legal education programs offered by way of teleseminars, our interactive learning network and live webcasts. We also continued to make legal resources, materials from the Bar Admission Course and other practice-management related tools available online.

Setting standards to which lawyers must adhere is a fundamental component of our public protection role. Unfortunately, there are those who do not always abide by these rules. A key focus of our work in 2004 was to strengthen our regulation by improving the timeliness, transparency, accessibility and quality of our complaints, investigation and discipline process.

For example, we created an Intake/Case Management Department that began operations in 2004 to help streamline the receipt of, response to and resolution of complaints. Intake adds significant value to the regulatory process by exercising a high level of expert judgment at the outset. Early file review also leads to early resolutions where appropriate and results in a reduced, more focused caseload for the departments that resolve and investigate complaints.

As a regulator, the Law Society continues to process a large number of complaints that require a rapid response. For example, in 2004, our Complaints Resolution staff reduced the median age of their cases to below our target levels of 80 days.

With more than 4,000 complaints being reviewed by the Law Society each year, we are constantly looking at how technology can assist us in better management of the overall process. Last year, we embarked on a new case management initiative to assist us in better servicing and tracking complaints. The new case management system, to be implemented in 2005, will facilitate information sharing, knowledge and document management and improved implementation of service standards.

As a regulatory body, it is important to be publicly accountable, accessible and transparent. All of the hearings that take place once an investigation has been completed are open to the public and the media. The Law Society distributes information in advance to alert interested parties about the upcoming hearings. The Law Society is the only Law Society in Canada to publish discipline decisions on CanLII – an online source of free legal information, provided by Canada's law societies. This information complements the publishing of discipline dispositions on the Law Society's own Web site and *Ontario Lawyers Gazette*.

The public's ability to access justice, a part of our mandate, continues to be a priority. Our Lawyer Referral Service is in high demand, with 67,125 people accessing this service when they need legal advice or just to determine options available. In 2004, we also launched a Certified Specialist Directory online to help consumers find lawyers who practise in a specialized area of law.

As a public body, the Law Society's education mandate is far more encompassing than providing information to lawyers and members of the public about our services and role. For example, we continue to offer extremely popular public education forums in partnership with community



organizations. These forums enable the exchange of information, ideas and action on legal issues relating to the rights and needs of Francophone, Aboriginal and equality seeking communities. Many of these forums focus on a range of discrimination, human rights and equality issues and also celebrate achievements being made in these communities and promote greater equity and diversity in the legal profession.

Like other professions and the regulatory bodies that regulate them, stakeholders today – whether lawyers, the public or others – demand greater transparency, service and a rapid turnaround in their dealings with the Law Society. Essential to our success in meeting these needs is having an informed, dedicated and service-oriented workforce.

I want to offer my utmost gratitude to the employees of the Law Society who continue to work hard to provide the highest level of service to all our stakeholders. The testimonials that you will read throughout this report demonstrate just how appreciative members of the public, the profession and community partners are, of our efforts.

I also want to thank our outgoing Treasurer, Frank Marrocco, who I have had the pleasure of working with for the past two years. With his support, we have been able to continue to build an effective regulatory body that is unwavering in its commitment to serving the public interest. ♦

Malcolm Heins, Chief Executive Officer

Developing policy to fulfill our mandate

Central to the Law Society's mandate to regulate the legal profession in the public interest, is policy development and implementation.

Major policy issues and initiatives in 2004

- Paralegal regulation
 - Consultation with paralegals and other stakeholders
 - Completion of Paralegal Task Force Report
 - Consultation with Ontario Ministry of the Attorney General on legislation and implementation
 - College Advisory Group
- Sole Practitioner and Small Firm Task Force
- Treasurers Interview Project
- National Mobility Agreement (preparation of handbook)
- Publication of *Access to Justice for a New Century: The Way Forward*
- Completion of Core Values Project
- Consultations with provincial government on the following issues:
 - *Mortgage Brokers Act*
 - *Real Estate and Business Brokers Act*
 - *Insurance Act* (related to activities at the Financial Services Commission)
 - The Boyd Report (*Arbitration Act*)
- Contingency fees
- Benchers remuneration referendum

Elected members of the Law Society's board of governors, called benchers, regularly meet to develop and approve policies on many public and legal issues. Their policy decisions are based on developments, changes and trends in Canadian law and the legal landscape, and address the needs of those the Law Society serves. Law Society staff carry out the decisions of the governing board (also known as Convocation) through the creation and maintenance of Law Society programs, products and services.

In 2004, Convocation turned its attention towards a number of policy issues. From proposing a regulatory model for the paralegal industry to examining the issues and challenges facing small law firms and sole practitioners, the Law Society made important advances to expand access to justice in Ontario and to improve its effectiveness as a regulator. While the list of issues is extensive [see sidebar], the following are some of the year's highlights.

Paralegal Regulation

In September, as requested, the Law Society delivered a report to the Attorney General of Ontario outlining a proposed regulatory model for providing consumer protection to those using the services provided by paralegals.

The model calls for independent paralegals to be licensed by the Law Society. It further recommends that regulation should mirror the existing regulation of lawyers wherever possible, to avoid confusion and duplication.



Nearly a year ago, I urged the Law Society of Upper Canada to take on a new responsibility: the regulation of paralegals. They have done the work – great work – in reporting back on just how the new regulatory regime would operate. We are now working together to bring a compelling package to the legislature that would promote consumer protection and access to justice.

The Honourable Michael J. Bryant
Attorney General of Ontario
At the Opening of the Courts Ceremony
January 5, 2005

According to the proposed model:

- Paralegals would be licensed to provide services in permitted areas of practice – e.g. Small Claims Court, tribunals, and matters and appeals under the *Provincial Offences Act*. This means paralegals could work on such matters as highway traffic cases and workers' compensation claims;
- To ensure their competence, paralegals would be required to complete an approved college program including a field placement, and pass a licensing examination;
- Applicants for a paralegal licence would have to demonstrate they are of good character;
- Paralegals would be required to adhere to a code of conduct, carry insurance and contribute to a compensation fund;
- A process for receiving and investigating consumer complaints would be developed to mirror the system already in place for lawyers. Paralegals found to have engaged in misconduct would be subject to the same types of penalties lawyers face, including the possible loss of their licence; and

- Paralegals would elect representatives from amongst themselves to sit on a Standing Committee on Paralegal Regulation and have seats on the Law Society's governing body, giving them a formal role in the regulation of all legal service providers.

The full report can be accessed online at http://www.lsuc.on.ca/news/pdf/convsept04_paralegal_report.pdf.

The report responded to the Attorney General's appearance before Convocation in January 2004, at which time he asked the Law Society to determine what needed to be done to expand its consumer protection mandate to include all legal service providers, including paralegals.

In September, following months of consultation with various stakeholders – including paralegal organizations, members of the legal profession, the judiciary, legal organizations, the courts, community colleges, adjudicative tribunals and other interested parties – a Law Society Task Force on Paralegal Regulation proposed the new model.

Convocation approved the model and agreed to deliver the report of the task force to the provincial government, which is responsible for passing legislation to implement the proposed model.

Shortly after delivering its proposed model to the Attorney General, the Law Society proceeded to lay the groundwork for a unique partnership with Ontario colleges that will pave the way for the education and licensing of paralegals in Ontario.

The partnership culminated in the creation of the College Advisory Group, which will aid in the creation of rigorous educational standards and programs for students who wish to become independent paralegals in their communities.



Members of the College Advisory Group.

- Remuneration will be at the rate of \$500 per day and \$300 per half-day; and
- In cases where written reasons are delivered, one additional per diem amount of \$500 will be paid to the benchers who writes the reasons.

Following the report, the Law Society laid the foundation

In addition to the Law Society, the advisory group includes representatives of Durham College, Seneca College, Centennial College, Algonquin College, Humber College, Fleming College, Sheridan College, the Ontario Ministry of Training Colleges and Universities, as well as the Ontario Association of Career Colleges.

Benchers Remuneration

Convocation approved in May a proposal for remunerating benchers and agreed not to implement the proposal unless the profession approved it in a general referendum.



Benchers are currently not remunerated for their services. Culminating a debate of the issue for more than a decade, Convocation approved a proposal for bencher remuneration that included the following features:

- In each calendar year, the first 26 days on which a bencher works will not be remunerated;

for a referendum to be held in February 2005. In that referendum, lawyers in Ontario voted 58 per cent in favour of the proposal, based on the votes of a total of 8,802 lawyers – or 24.6 per cent of the 35,787 eligible voters.

New Licensing Process

Throughout 2004, the Law Society fully developed a model for a new Licensing Process that will replace the current admissions program beginning May 2006.

The focus of the Licensing Process is to ensure new lawyers continue to meet high standards of learning and competence.

At the same time, the new process will result in a



George Hunter,
Task Force on the
Continuum of
Legal Education

decrease in licensing fees and enable candidates to be called to the Ontario Bar and practise law two months sooner.



Mandatory requirements include:

- Attendance at a five-week skills and professional responsibility program with assignments and assessments;
- Two licensing examinations, including a barrister examination and a solicitor examination; and
- A 10-month articling term.

Convocation approved the final design for the new Licensing Process in February 2005.

Sole Practitioner and Small Firm Task Force

In April 2004, the Law Society's Sole Practitioner and Small Firm Task Force provided an interim report to Convocation that presented a preliminary "snapshot" of data relating to sole and small firm practitioners.

The report presented the combined result of survey research done with the help of 732 lawyers who agreed to answer detailed survey questionnaires.

Based on this research, the task force noted more than half of practising lawyers in Ontario are in firms of five lawyers or fewer. These lawyers represent the vast majority of individuals who require lawyer services. The survey data revealed a great deal about the challenges that face lawyers in this group and the interplay between those challenges and access to justice issues. Statistics also suggest the number of new lawyers who become sole practitioners is decreasing. For example, the report indicated that in 1995 lawyers aged 25 to 35 made up 20 per cent of all sole practitioners in Ontario. In 2002, however, the same age group of lawyers made up only nine per cent of sole practitioners.

Convocation established the task force in 2003

to learn about the challenges sole and small firm practitioners face, identify trends and report back with any recommendations. The task force's final report will be considered in April 2005. ♦



Judith Potter



Abe Feinstein

*Co-chairs of the Sole Practitioner and
Small Firm Task Force*

The *Law Society Act* requires the Law Society to ensure the people of Ontario are served by lawyers who meet high standards of learning, competence and professional conduct. The 1999 amendments to the *Law Society Act* reinforced this obligation.

The Law Society has taken an active, preventive approach to member competence designed to prepare and support students-at-law and lawyers in their efforts to provide quality service and legal work.

The Law Society is committed to life-long learning, from the time a candidate enters the profession and throughout the lawyer's career. This commitment is not only in fulfillment of our competence mandate, but to help instill public confidence that they have access to competent legal services.

Reforming the way we license lawyers

Last year efforts to lay the groundwork for the introduction of a new Licensing Process took centre stage. In December 2003, Convocation approved the model for the Licensing Process, which will replace the current Law Society admissions program beginning May 2006.

LICENSING Process

While ensuring that new lawyers continue to meet high standards of learning and competence, the new process will result in a decrease in licensing fees and enable candidates to be called to the Ontario Bar and practise law two months sooner.

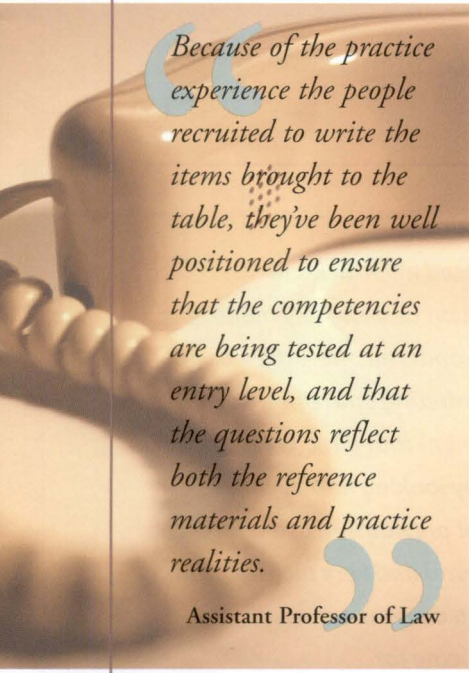
The three mandatory requirements of the approved process are:

1. Attendance at a five-week skills and professional responsibility program with assignments and assessments. Classes run half-days, Monday through Friday.
2. Two licensing examinations: a Barrister Examination and a Solicitor Examination
3. An articling term of 10 months.

The focus of the Licensing Process is to ensure that candidates have demonstrated that they possess required entry-level competencies to provide legal services effectively and in the public interest. Competencies are the knowledge, skills, abilities, attitudes and judgment to be expected of an entry-level lawyer.

I was very pleased to be asked by the Law Society of Upper Canada, my governing body, to participate on the Solicitors' Licensing Examination Blueprint Committee. The practitioners were respectful, competent professionals. The facilitators understood their function and provided the pointers to get us through the process to our destination. My involvement in this part of the Licensing Examination development process was a positive, enriching, learning experience.

Lawyer



Because of the practice experience the people recruited to write the items brought to the table, they've been well positioned to ensure that the competencies are being tested at an entry level, and that the questions reflect both the reference materials and practice realities.

Assistant Professor of Law

Following the approval of the model for the Licensing Process, extensive work began in 2004 on a proposed design for the process. Throughout last year and early 2005, Convocation approved detailed reports from the Professional Development, Competence and Admissions Committee on each

of the design components – competencies for the licensing examinations, and the Skills and Professional Responsibility Program, and enhancements for Articling.

The design for the Licensing Process for admission to the Law Society of Upper Canada was approved in February 2005.

Almost 1,800 Ontario lawyers have provided input into the development of the new process.

Bar Admission Course

In 2004, the Law Society continued to deliver the Ontario Bar Admission Course to ensure that those called to the Bar meet rigorous standards of competence and professionalism. After 2005, this program will be replaced by a new competency-based Licensing Process.

The Law Society called 1,376 students and transfers to the Ontario Bar at ceremonies held monthly at Convocation and in Ottawa, London and Toronto in July 2004.

e-Learning

E-learning continued in 2004 to be an important tool for students in the Bar Admission Course. The Law Society's e-Learning site offers a flexible, accessible and user-friendly learning support system through which students can access the following online resources anywhere, anytime:

- Reference materials in PDF format;
- Toronto morning lectures (live or archived);
- Supplemental video presentations;
- Supplemental material to support study efforts, including: checklists, legislative summaries, fact situations, exercises to test skills and knowledge;
- Practice examinations.

The e-Learning site was well-accessed by students taking the Bar Admission Course in 2004. Research showed an increase in usage of more than 20 per cent from 2003. Using the site also helps familiarize students with the learning formats they will encounter throughout their careers as they participate in various continuing legal education programs.



The amount of time and effort that members of the Law Society have devoted to this process is unprecedented. Members' dedication to supporting

the licensing framework for the profession has substantially enhanced the quality of the development of the Licensing Process. Their work will continue to be instrumental as we prepare to implement the Licensing Process in 2006.

**Diana Miles, Director,
Professional Development & Competence**

EDUCATION SUPPORT SERVICES

The Law Society offers students a range of services to support them through their completion of the Bar Admission Course.

Education Support Services Centre

The Law Society offers accommodation and special needs supports for students in the Bar Admission Course through the Education Support Services Centre. In 2004, many students used the Centre to access laptops, special software, make examination arrangements and other special accommodations. More details about the Centre and other programs are available on page 32.

Repayable Allowance Program

The Law Society offers financial assistance through its Repayable Allowance Program to those in the Bar Admission Course who demonstrate need to meet their educational and living expenses during the course. In 2004, the Law Society approved a total of \$280,000 to assist 85 students, 48 more students than in 2003.

Law Society Placement Initiatives

The Law Society provides an articling mentor program, job search skills workshops and counseling services to assist students-at-law in finding articling positions. Articling postings are made available on the Law Society's Web site.

In 2004, the Law Society held two job search skills workshops in June and posted 75 articling placement opportunities online. Also, 57 students joined the articling mentor program and 93 biographical summaries were posted to assist unplaced students in securing articling positions.

I have officially commenced my Articles of Clerkship... Your suggestion that she (my mentor) take on my case was a wonderful one – she was an excellent mentor to me, offering strategies, advice, and general encouragement that directly resulted in my securing a position by looking into avenues I might not have thought previously existed for me. I am grateful for the referral and very pleased with the program you run. You can rest assured you have one more advocate for the Mentorship Program at the Law Society.

Articling Student

Continuing Legal Education

Enhancing continuing legal education (CLE) to meet the needs of lawyers represents a significant portion of how we assist lawyers in their professional development and competence. In 2004, the Law Society offered CLE in a variety of formats and delivery methods to improve accessibility and assist lawyers in meeting their professional development goals.

Law Society CLE programs continue to be extremely popular and well-attended. Last year the Law Society introduced new programs designed specifically for the essential, intermediate and advanced level practitioner. The Advanced Roundtable Series gives senior lawyers a forum in which to exchange views and debate issues with their peers in an informal, collegial environment.

Engaging participants makes the seminar more enjoyable. Forcing yourself to think issues through as opposed to listening is always a more effective way of learning.

Participant
Case File Series

The new Case Files Series uses hypothetical case scenarios as the basis for giving junior lawyers hands-on training in finding solutions to their client's problems.

In 2004, the Law Society

offered 72 CLE programs with more than 20,000 participants, representing a 10 per cent increase in turnout over the previous year. This demonstrates the commitment of legal services professionals to continuing legal education.

Interactive Learning Network

The Interactive Learning Network (ILN) enables lawyers to attend and participate in live programs without incurring the costs associated with

absence from the office and long distance travel.



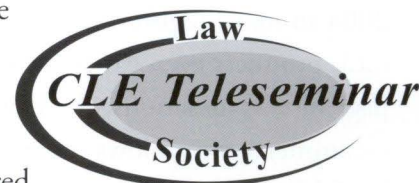
Through ILN, live CLE programs are broadcast, in real time, to multiple locations across Ontario by videoconference.

Since its launch in 2003, ILN has proven very successful. In 2004, there were over 3,500 registrations for the 45 programs available on the ILN.

Teleseminars

Teleseminars allow the Law Society to organize a CLE program on an important and timely issue quickly and in a format that makes it accessible to every lawyer across the province.

Lawyers can join in a teleconference call scheduled at convenient times, for example at lunch hour or before or after work. Also, any number of participants can listen in at a registered location at no additional cost. The Law Society offered nine teleseminars in 2004, with over 3,700 participants.



Web-based Learning

The Law Society launched interactive Webcasts of selected CLE programs in partnership with BAR-eX Communications Inc. in 2003.

Webcasts feature live video and audio streaming, include downloadable written materials and participants can submit questions during the session.

In 2004, we increased the number of live Webcast programs on BAR-eX from 12 to 29 with 1,198 members taking advantage of this option.

Other Products

The Law Society provides legal publications, including materials prepared for CLE programs. 2004 continued to be a strong year for publication sales, with more than 12,000 units provided.

Kudos for the live online webcast. It is a great method for delivery.

Lawyer

Enter

Licensing, educating and supporting lawyers in the public interest

e-Transactions

The Law Society continued to use technology in 2004 to make registering, purchasing and accessing CLE products even easier for members. The CLE page of e-Transactions, the Law Society's secure e-commerce site, allows members to register online for CLE programs, purchase and download course materials and order and view a program on their desktop.

In 2004, the CLE page of e-Transactions had almost 71,000 visits – a 55 per cent increase from 2003, with more than 10,790 transactions, including registrations for live, ILN, Webcast and teleseminar programs and purchases of CLE publications, CD-ROMs and the new 2004 Bar Admission Course reference materials.

Top 10 Most Popular Programs

Making Time for the Limitations Act, 2002	(Teleseminar)
The New Expanded Application of the Family Law Rules	(ILN)
Everything New in Costs	(ILN)
Privacy Law for Litigators	(Teleseminar)
Six-Minute Real Estate Lawyer	(ILN)
Fighting Real Estate Fraud	(ILN)
New Developments in Child and Spousal Support	(ILN)
Estates and Trusts Forum – 2 Days	(ILN)
Real Estate Fraud	(Teleseminar)
Real Estate Law Summit	

PRACTICE MANAGEMENT SUPPORT

Online Materials

Lawyers can access the Bar Admission Course reference materials for free on the Law Society's Web site with their member number.

The materials are one of the most well-known and highly regarded resources available. Every year, they are updated by experts in seven practice areas: real estate, family, business, civil litigation, criminal, estate planning and administration, and public

law, as well as professional responsibility and practice management.

The materials are presented in Adobe® PDF file format and are fully searchable,

making them a highly useful tool for research and reference alike.

In 2004, 6,525 members accessed the materials online.



Practice Management Guidelines

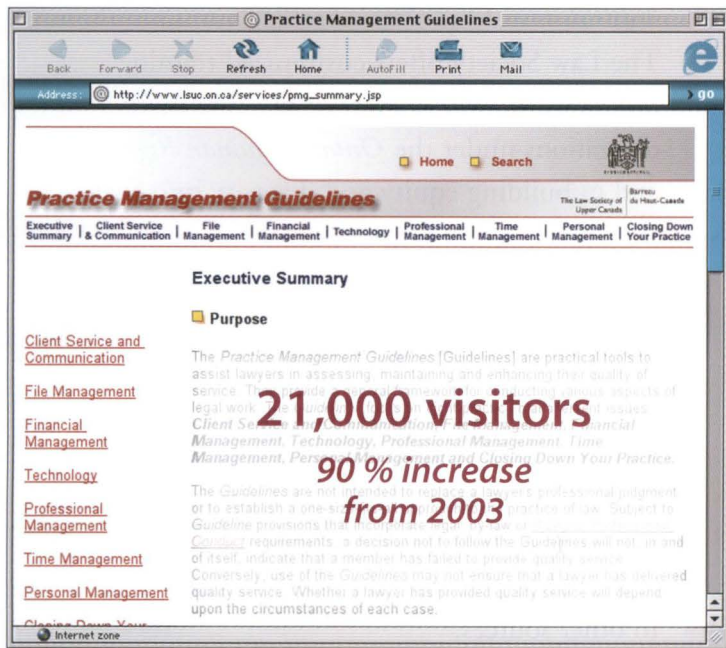
The Practice Management Guidelines are practical online tools to help lawyers assess and enhance the quality of their client service and practice management skills, and to avoid the errors commonly seen in Law Society discipline matters.

The Guidelines focus on eight practice management areas: client service and communication; file management; financial management; technology; professional management; time management; personal management and closing down your practice.

To have these up-to-date materials available online will improve the service that lawyers offer their clients.

A very fine idea, and one that will hopefully improve practice generally through providing current updated information on a wide range of subjects.

Lawyer



In 2004, over 21,000 visitors to the Law Society's Web site accessed the Practice Management Guidelines, representing a 90 per cent increase from 2003.

Practice Management Helpline

In 2004, Professional Development & Competence counsel responded to 5,780 inquiries from members and representatives of members relating to the application of the *Rules of Professional Conduct* and ethical issues.

Law Society staff monitor these inquiries and proactively develop a range of resources including articles, frequently asked questions, workshops and practice tips to address member issues.

This service is particularly popular with sole practitioners and those in small firms.

Certified Specialist Program

The Law Society provides the designation of Certified Specialist in Ontario for those who meet specific standards of experience and knowledge in designated fields of law and have maintained high standards of professional practice.

The redesigned Certified Specialist Program was launched in January 2004. New areas introduced in 2004 were Real Estate Law, Estates and Trusts Law and Corporate and Commercial Law. Municipal Law and Health Law are two new specialty areas that will be added to the program in 2005.

As of December 2004, there were almost 700 Certified Specialists in Ontario – a 10 per cent increase from 2003 – in 13 areas of law.

Best Practices Self-assessment Tool

Launched in June 2004, the Best Practices Self-assessment Tool is a strictly confidential, online resource designed to assist members in assessing their capabilities in five core areas of practice management: client service and communication, professional behaviour and development, personal management, practice management and technology.

The tool was developed in consultation with a cross-section of exemplary members of the profession to determine the critical competency areas and validate the final product.

By the end of December 2004, there were more than 650 registered users of the tool – the only one of its kind in North America designed for the legal profession.

BEST PRACTICES

Licensing, educating and supporting lawyers in the public interest

Spot Audit

Staff conduct audits as a pro-active compliance measure and problem detection tool. Audits assist members in measuring the integrity of

As a newly called sole practitioner, I found this (audit) to be very informative and extremely useful.

Very helpful in assisting in documenting areas of non-compliance and helping to determine processes that will eliminate them.

Lawyer

law firm financial filing, and assessing compliance with financial record-keeping requirements and the *Rules of Professional Conduct*. Audits provide on-site guidance to help members correct minor deficiencies in record-keeping

practices before they lead to serious non-compliance or misconduct issues. In 2004, the Law Society completed 1,139 audits.

Equity and Diversity Training

The Law Society offers customized training programs to assist lawyers in meeting their obligations under the *Ontario Human Rights Code* and in building equity and diversity into their legal practice and organizations.

Each session is tailored to the specific needs of the law firm and/or practitioner and is available in many formats, such as seminars, workshops, informal education sessions, continuing legal education and train-the-trainer sessions. As part of the session, the Law Society provides resource materials such as model policies, best practices, case studies and case law, checklists and referrals to other sources.

In 2004, Law Society staff, together with the Discrimination and Harassment Counsel, provided training programs on preventing and addressing issues of harassment and discrimination to managers and lawyers from law firms and legal clinics. These programs were offered in Toronto, Kitchener/Waterloo, Markham, Guelph and Halton.

LIBRARY SERVICES

At a time when changes to the law are occurring rapidly, the need for easy and convenient access to legal information and resources has never been more important.

Great Library

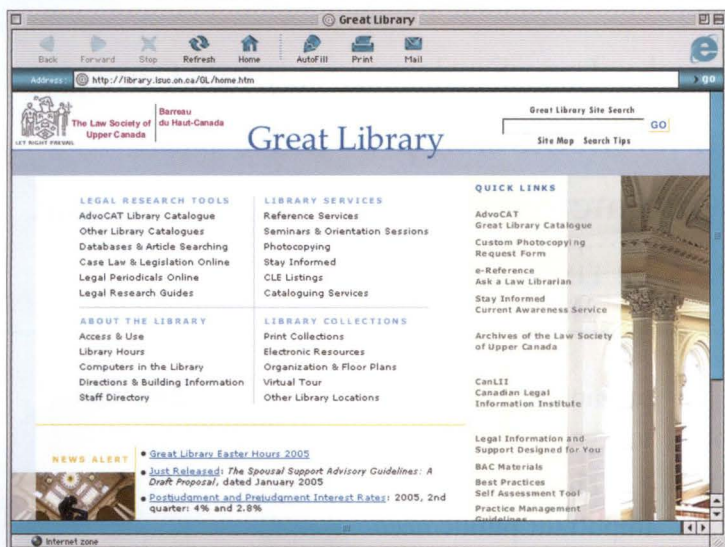
Throughout 2004 the library concentrated its efforts on finding new ways to assist lawyers and their staff to find the information they need to provide competent, quality legal advice and service to their clients.

In November the Great Library launched the new Legal Research Portal featuring the improved online catalogue, "AdvoCAT," as its cornerstone.

I find the current awareness articles by the Great Library to be fantastic.

Very good resources provided. Provided a good basis to begin using Internet legal searches.

Lawyer



In 2004, 500,000 searches were run on the library's Web site. One of the site's most popular features, the current awareness service, "Stay Informed," compiled by library staff, generated 100,500 visits. Reference inquiry services, whether through e-Reference, telephone or in person, continue to be in demand with 47,100 inquiries received last year.

Number of decisions on the CanLII site by end of 2004:

English cases – 137,000

French cases – 123,000

Total cases = 260,000

CanLII

CanLII was created as a joint initiative with Canada's other legal regulators through the Federation of Law Societies of Canada to provide free legal information from the courts, government and others to both lawyers and the public.

CanLII now publishes 13 out of 14 Canadian jurisdictions' legislative collections, which are updated monthly. All versions of statutes are retained so that amendments can be tracked. Decisions from numerous Boards and Tribunals are now also available on the CanLII site.

By the end of 2004, CanLII had 137,000 decisions in English and 123,000 in French on the site. ❖



Serving the public and the profession

Over the past three years, the Law Society of Upper Canada has seen an increase in its membership of more than 12 per cent. The growing membership means the demand for services also continues to rise.

For example, in 2004, the Client Service Centre, the front-line, one-stop access point to the Law Society, handled almost 500,000 transactions from members of the public and the profession. This includes general inquiries from members of the profession and the public, complaints about lawyers and requests for lawyer referrals, as well as adjusted billings and refunds, and contacts regarding administrative compliance processes for members.

General Inquiries

As the primary intake area for incoming calls to the Law Society, staff handle inquiries for: Member Resource Centre, Reception, Complaints Reception and our Lawyer Referral Service.

Method of Contact	2002	2003	2004
Telephone	300,179	313,067	322,539
Mail	95,233	95,453	87,965
Fax	22,743	23,363	29,322
E-mail	4,547	18,691	24,435
E-Filing	2,343	9,345	14,661
Walk-ins	6,897	7,345	9,774
Total	431,942	467,264	488,696

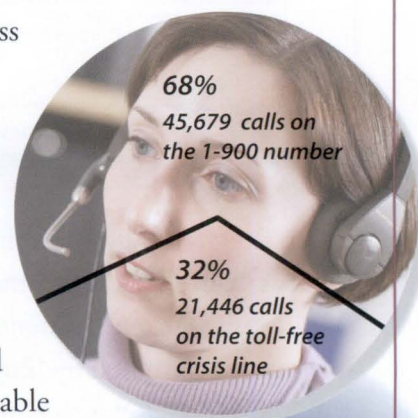
Lawyer Referrals

The Lawyer Referral Service (LRS) is a longstanding service that the Law Society has offered for more than 30 years. This program supports the Law Society's role in governing in the public interest by

promoting greater access to legal services.

The LRS fills an important public need by connecting people to appropriate legal counsel. The LRS continues to be one of the most successful and popular programs available for Ontarians who may need a lawyer or for those wanting to learn more about their legal options and rights.

By December 2004, 1,820 lawyers were subscribers to the Lawyer Referral Service.



The Lawyer
Referral Service
received

67,125
calls in 2004

I want to let you know about my first experience with the Law Society's Lawyer Referral Service. ... I called the service to obtain a real estate lawyer for my first purchase of real estate. A lot of firsts. Very nerve-wracking. I called (the lawyer). The lawyer returned my call promptly. He delineated the next steps and all the costs. By the time I got off the phone with the lawyer, I was the most calm I had been since I launched into this foreign territory. I felt I was in capable hands. What an excellent experience. Thank you for providing such a valuable and useful service...

LRS caller



I am a witness to the fact that the Lawyer Referral Service has, in my ten years of practice, always been absolutely top notch. It sent me clients during very turbulent times for our profession. Beyond this however, you have also put thousands of clients, people with real legal issues and problems in contact with counsel and for this your service must also be commended. It helps younger lawyers find a client base and provides an absolutely critical point of access to justice for members of the public-at-large.

LRS subscriber

Membership Services

Total membership in the Law Society stood at more than 35,000 lawyers at the end of December 2004. Staff process 35 different types of member-related transactions, including member requests and maintenance of contact data (name, address, mailing information, status changes, etc.) for all members. They also process adjusted billings for members whose fee category changes throughout the year.

For example, in 2004, staff:

- Processed 6,925 adjusted billings and refunds – 14 per cent more than in 2003.
- Made 23,030 database information changes.
- Handled 12,410 other miscellaneous requests – almost 100 per cent more than the previous year.

Sole practitioners still make up the largest proportion of practising lawyers. However, according to our data, there has been a striking decline in the number of new lawyers becoming sole practitioners. In 1995 lawyers aged 25 to 35 made up 20 per cent of all sole practitioners in Ontario. In 2002, they made up only nine per cent.

Membership by Age Range and Sex

		2002	2003	2004
Under 30	Men	968	978	944
	Women	1,247	1,288	1,306
30-39	Men	5,392	5,291	5,312
	Women	4,575	4,785	4,970
40-49	Men	6,261	6,192	6,110
	Women	3,664	3,757	3,903
50-65	Men	7,346	7,776	8,204
	Women	1,577	1,852	2,141
Over 65	Men	2,467	2,564	2,666
	Women	117	131	145
Total	Men	22,434	22,801	23,236
	Women	11,180	11,813	12,465
TOTAL		33,614	34,614	35,701

Law Firm Size

Law Firm Size	Number of Firms	Number of Lawyers in Those Firms
1 lawyer	5,989	5,989
2-10 lawyers	1,803	6,123
11-25 lawyers	124	1,966
26-50 lawyers	24	791
51+ lawyers	33	4,458
Total in private practice:	7,973	19,327

Membership by Area of Employment in Ontario

% of total employed members (as at Dec. 31, 2004)

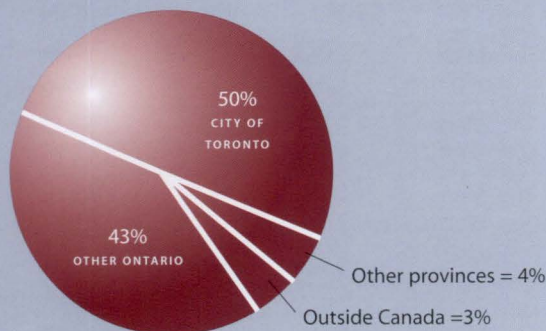
Sole Practitioners	24%	6,955
Partners	22%	6,274
Employees	4%	1,266
Associates	17%	4,832
Education	1%	370
Government	14%	4,227
Other	18%	5,288

• Total employed members = 29,212

• Other category includes corporate and non-profit sectors

Serving the public and the profession

Geographical Distribution of Members



By-law Related Transactions Handled by ACP

Retirement	102
Resignation	108
Professional Corporations	206
Foreign Legal Consultants	64
Readmission	17
Rule 6.07 – Preventing Unauthorized Practice	1
Affiliations with Non-Members	3
Multi-disciplinary Practices	1
Specialist Certification	97
Transfer Candidates	27
National Mobility	91

“At all stages of my transfer to the Law Society of Upper Canada, I greatly appreciated the kind assistance of the staff in the various departments and was particularly impressed with the way that my application moved quickly through the process. Given the various other personal and professional matters that one must attend to when relocating across the country, it was a welcome to have my Law Society transfer proceed so smoothly.”

Lawyer

Administrative Compliance Processes (ACP)

This area is responsible for the design, distribution, collection and validation for the completeness of members' filings via the Member's Annual Report (MAR). Staff also handle the administrative suspension process.

In 2004, the Law Society received a total of 34,531 MARs.

In addition, ACP staff develop and administer processes related to the Law Society's by-laws and statutes.

“I just filed with the new and improved e-forms. The whole process took about 15 minutes. Congratulations on a HUGE improvement over the previous version!”

Lawyer

Complaints Services

Complaints Services is the first point of contact for anyone who has a complaint about a lawyer. Staff open, log and track all potential complaints; acknowledge receipt of new correspondence; and match existing complaints with any new correspondence. Staff respond to complainants about issues that are definitely not within the Law Society's jurisdiction and where appropriate, refer the complainants to other resources. They also resolve hundreds of complaints from financial institutions. The remaining complaints that are within the Law Society's mandate are streamed to the Intake Department of the Professional Regulation Division. ❖

Total Complaints Received and/or Reopened in 2004

8,188

Within LS Mandate and Streamed to Professional Regulation:	4,310	52.64%
Outside LS Jurisdiction:	3,878	47.36%



Regulating in the public interest

As a public body with a public interest mandate, a fundamental component of the Law Society's role as regulator of Ontario's legal profession is consumer protection.

That means protecting consumers of legal services from lawyers who have been dishonest, not provided good service or have demonstrated professional misconduct. Central to this role is having a complaints process in place that is responsive, transparent and accessible.

All lawyers are required to conduct themselves according to the *Rules of Professional Conduct* and applicable laws including the *Law Society Act*, its regulations and by-laws. The Law Society monitors lawyer conduct, and within its mandate responds to complaints about conduct.

The Law Society's Professional Regulation Division carries out a variety of activities in the course of lawyer regulation. When the Law Society receives a complaint, either staff work with the client and lawyer to resolve the issue, or the complaint is directed to the investigation stream which could result in prosecution.

In 2004 we continued to focus on improving the timeliness, transparency, accessibility and quality of our complaints, investigation and discipline process.

THE COMPLAINTS PROCESS – *Path of a complaint from receipt to closure*

In 2004, there was a nine per cent increase in the number of complaints received by the Law Society over the previous year.

Client Service Centre – First point of contact

All complaints to the Law Society are initially processed in the Client Service Centre (CSC). The CSC has a preliminary intake area that deals with written complaints about members of the Law Society. This group identifies which complaints fall within the Law Society's mandate. When the complainant's issue is not within the Law Society's jurisdiction, attempts are made to identify alternative avenues. The CSC transfers those complaints

New Complaints Received by the Law Society in 2004

Total Received	8,188	
Within LS Mandate:	4,310	52.64%
Outside LS Mandate:	3,878	47.36%

Complaints Directed to Departments

To Investigations	833	19.33%
To Complaints Resolution	2,028	47.05%
Other Departments	42	0.97%
Closed at Intake	1,290	29.93%

Complaints Closed in 2004

Complaints Resolution	2,556	
Investigations	672	
Discipline	222	

Regulating in the public interest

Complaints Received by Area of law 2004

Area	%
Real Estate	32.17%
Matrimonial / Family	19.07%
Civil Litigation	16.94%
Other	14.05%
Estates / Wills	6.63%
Criminal	4.82%
Corporate / Commercial	2.83%
Administrative / Immigration	2.81%
Student Misconduct	0.67%

Nature of Complaint 2004

Issue	%
Relations with Clients	21.23%
Failure to Communicate	20.82%
Breach of Confidence / Quality of Service	15.54%
Relations with Other Lawyers	8.68%
Financial Issues	8.13%
Inappropriate Behaviour	7.26%
Failure to Account	5.74%
Other / Unidentified	4.88%
Conflict of Interest	4.37%
Third Party Complaints	3.35%

deemed within jurisdiction to the Intake department of the Law Society's Professional Regulation division.

Intake - Case Management

This area was created to help streamline the receipt of and response to complaints. With Intake staff reviewing files earlier, more files are being resolved earlier, where possible.

The role of Intake is to identify any regulatory issues revealed by an incoming complaint, ensure the complainant has provided adequate documentation to support the allegations of misconduct and then stream the case to the appropriate regulatory department.

Intake also has an important case management function in determining the approach that will best serve the interested parties and linking the parties to the relevant areas of the Law Society.

Intake, which began activities in January 2004, started receiving incoming complaint files from the Client Service Centre that appeared to be within jurisdiction in April of last year. By year-end, almost 30 per cent (1,290) of the new complaints received by the Law Society in 2004 concluded at the Intake stage.

*We would like to thank
you on your swift and
speedy action and
resolution to our problem.
You have restored our
confidence in the
system.*

Complainant

Discrimination and Harassment Counsel

Another forum for resolving complaints is the Discrimination and Harassment Counsel (DHC) program. The program is available to anyone who may have experienced discrimination or harassment by a lawyer. While the Law Society provides funding for the program, the DHC operates at arms-length from the Society, and the services are offered free-of-charge to the Ontario public, including law firm staff, students and lawyers. The DHC confidentially assists callers by advising

on the various options available and may resolve disputes where appropriate.

In 2004, 234 new individuals contacted the DHC. Sixty-seven per cent of contacts (157 contacts) were within the mandate of the DHC, and of those, 50 per cent were complaints regarding harassment or discrimination.

Members of the public accounted for 53 per cent of complaints received by the DHC, and lawyers accounted for 47 per cent. Women accounted for 72 per cent of complaints received by the DHC.



Complaints Resolution

The role of Complaints Resolution is to investigate and resolve complaints that may involve less serious breaches of the *Rules of Professional Conduct* and to seek authorization for disciplinary proceedings where necessary. Where a matter arising out of a complaint requires an extensive investigation, it is transferred to the Investigations department.

More than 52 per cent of complaints (4,310) were within the Law Society's jurisdiction, and forty-seven per cent (2,028) of those complaints were directed to Complaints Resolution.

Investigations

The Investigations department's primary responsibility is to investigate allegations concerning a lawyer's conduct or capacity, in light of the *Law Society Act*, the by-laws, or the *Rules of Professional Conduct* that are likely to lead to discipline proceedings. Investigations are authorized under section 49.3 of the *Act*.

In 2004, almost 20 per cent (833) of complaints were directed to Investigations. The investigating staff includes lawyers, investigators and auditors. On completion of

the investigation, a complaint is referred by the Secretary of the Law Society to the Proceedings Authorization Committee (PAC), closed or resolved. The PAC consists of benchers appointed by

Convocation to make a determination as to whether a matter ought to proceed to prosecution.

The PAC may also authorize a file closure, or a case settlement.

Investigations is also responsible for a number of other types of investigations under the *Law Society Act*. Among these is the prosecution of unauthorized practice under section 50 of the *Act*. Unauthorized practice occurs when a person holds himself or herself out as a barrister or solicitor without proper Law Society membership.

The above noted affair is pretty well wound up as it applies to me... You kept your word, returned my calls, answered my letters and kept me informed as best you could – all with impeccable courtesy.

Complainant

2004 Investigations

Financial Issues	16.18%
Bankruptcy / Fraud	14.99%
Relations with Clients	14.46%
Unauthorized Practice	14.32%
Relations with Other Lawyers	13.66%
Conflict of Interest	5.17%
Student Investigations	4.64%
Inappropriate Behaviour	4.24%
Breach of Confidentiality / Quality of Service	2.25%
Not Yet Determined	1.86%
Third Party Complaints	0.53%
Other / Unidentified	7.69%

I must congratulate you on the very professional attitude you showed throughout this investigation. As a member of the Law Society of Upper Canada, I was gratified by the balance that you showed between protecting the rights and interests of the citizens and the straightforwardness toward the lawyer.

Enter Lawyer

Unauthorized Practice 2004

New Files Opened	107
Files Closed	105
Unfounded	48
Resolved	35
Prosecution	22

Tribunals

After the Proceedings Authorization Committee has determined a matter ought to proceed to prosecution, a conduct application is issued and served on the member. The Tribunals office, which is independent of the prosecutorial arm of the Law Society, then starts its process.

Staff in the Tribunals office manage the administration of the Law Society's Hearing and Appeal Panels and provide support to benchers in their role as adjudicators. Hearing and Appeal Panels are composed of benchers – lawyers and lay people who are responsible for determining the appropriate disposition of matters.

Tribunals office staff schedule hearings and appeals, maintain tribunal files on each case, act as clerk in the hearings and appeals, prepare the formal orders of the Hearing and Appeal Panels, coordinate the Panel's writing of reasons, and prepare them for publication.

To assist in ensuring the Law Society's regulatory function is transparent to the public and the profession, the reasons for decision given by Hearing and Appeal Panels, both oral and written, are now published on both Quick Law and CanLII.

Following the hearing, the Tribunals office prepares the formal order and serves it upon the parties. The parties have a right to appeal to the Law Society's Appeal Panel. The appeal period is 30 days from the date of service of the Hearing Panel order. There is a further right of appeal to the Divisional Court in certain circumstances.

Case Management

Number of Files Opened With the Tribunals Office

a. Open files as of Dec-31-04	92
Of the 92 files noted above, 59 were opened between Jan-01-04 and Dec-31-04 and remain open (as of Dec-31-04)	
b. Files closed between Jan-01-04 and Dec-31-04	117
Of the 117 files noted above, 42 were opened and closed between Jan-01-04 and Dec-31-04	
Total number of files handled in 2004 by the Tribunals Office	209

Disciplining Lawyers

Discipline counsel represent the Law Society before the Hearing and Appeal Panels, and in the courts when appeals are taken from decisions of the Panels. They provide counsel advice for cases in the investigations and resolution processes, many of which settle or close without formal discipline action. The Discipline department is responsible for the prosecution of a variety of matters including those concerning lawyer conduct, non-compliance, capacity and competency, as well as applications for admission to the Law Society, and applications for reinstatement or readmission.

2004 Discipline

Number of Matters Heard and Disposed of by Hearing Panel

Admonitions	12
Reprimands	5
Suspensions	18
Permission to Resign	3
Disbarments	11
Withdrawn	3
Dismissed	2
Interim Suspensions	1
Readmissions Granted	2
Readmissions Denied	3
Reinstatements Granted	2
Appeals by Member	11
Appeals by LSUC	1
Total:	74

As part of these prosecution responsibilities, counsel attend case conferences to provide advice on all matters which may be recommended for prosecution. They review files to assess whether there is a reasonable prospect of prosecution. Once authorized to prosecute, they prepare a

notice of application and review the file for disclosure. Where appropriate, they prepare an agreed statement of facts and participate in a resolution process to narrow the issues by, among other things, preparing material for and attending at pre-hearing conferences. They attend at the Hearings Management Tribunal to schedule hearings and also to speak to adjournment requests.

Discipline counsel are also responsible for responding to urgent regulatory issues which require applications for interim suspension where there is a concern for public protection. In such cases they are required to rapidly prepare what are sometimes complex cases in order that they may be brought before a Hearing Panel for decision. During 2004, there were an increasing number of appeals from Hearing Panel decisions, with the result that Discipline counsel are now preparing for, and attending at more appeals.

Complaints Review

When a complaint is closed and a complainant is unsatisfied with the result, the Complaints Resolution Commissioner (CRC) can review the case. The CRC will conduct an independent and impartial review of the Law Society's investigation and the decision to close the complaint file. After reviewing the Law Society's decision, the CRC, in

accordance with the *Law Society Act*, has two options. The first is to agree that the Law Society's review and outcome are reasonable and that the file will remain closed. Alternatively, the Commissioner may decide to refer the matter back to the Law Society with a recommendation to take further action.

The role of the Commissioner is established by the *Law Society Act* and the by-laws of the Law Society. The current Complaints Resolution Commissioner is former Ontario Ombudsman Clare Lewis, who was appointed for a two-year term. Mr. Lewis assumed this role in April 2005. He is also responsible for providing alternative dispute resolution services for members of the public and lawyers who are the subject of complaints. The Professional Regulation Division provides staff support for Complaints Review.

Monitoring and Enforcement

The Monitoring and Enforcement department is responsible for enforcement of Hearing Panel orders and lawyer undertakings. Department activities include enforcing Hearing Panel orders; monitoring undertakings obtained at the completion of matters by other departments within the Professional Regulation Division; ensuring that bankrupt members comply with the appropriate by-law; enforcing judgments

STRIVING FOR GREATER TRANSPARENCY

It is in the public interest that the Law Society's tribunals process be accessible to the profession and the public. To this end:

- ▶ Law Society hearings are public and open to the media.
- ▶ We distribute information in advance about upcoming hearings.
- ▶ We issue bi-monthly news releases announcing the results of hearings and post this information on the Law Society's public Web site.
- ▶ The Law Society of Upper Canada is the only law society in Canada to publish its decisions on CanLII. More than 600 decisions of Discipline Convocation, and Law Society Hearing and Appeal Panels are available free of charge to both the public and profession on line at **www.canlii.org**.

Regulating in the public interest

and mortgages obtained by or assigned to the Compensation Fund; and assisting in the drafting of standard terms for Hearing Panel orders and lawyer undertakings to ensure enforceability.

In addition to its regulatory activities, the Law Society also provides trusteeship services and operates a compensation fund for those who have suffered loss due to lawyer dishonesty.

Trustee Services

Staff in this area respond where a lawyer has abandoned his/her practice, has been disbarred or has otherwise ceased to practice. Through the use of the Law Society's trusteeship powers, staff carry out the Law Society's mandate to protect the public interest by taking possession of the practice, if necessary. The department also provides information and assistance to lawyers who are closing their practices.

Unclaimed Trust Fund Services

The Law Society has established a program that enables lawyers to submit unclaimed trust funds that they have held for at least two years to the Law Society. Members of the public who believe they are entitled to these funds are able to make claims for these funds.

2004 Unclaimed Trust Fund

Files Received	1,284
Approved	328
Denied	26
Pending	930
Amount Paid	\$1,583
Net Increase in 2004	\$299,000
Total Fund Balance	\$1,028,000
<i>as of December 31, 2004</i>	

Lawyers Fund for Client Compensation

This fund is a longstanding consumer protection measure that the Law Society provides to the public. The Lawyers Fund for Client Compensation, which is paid for by lawyers helps clients who have lost money because of a lawyer's dishonesty. Clients can apply to the Fund for reimbursement for lost money or property. Over the last 50 years, the Fund has paid out millions of dollars to help clients.

2004 Compensation Fund

New Claims / Applications Received	151
Value of new claims with limits applied	\$3,674,000
Total amount of grants (paid out on 119 claims)	\$2,010,000

The Fund can reimburse people for up to a maximum of \$100,000, pursuant to the general guidelines for the determination of grants.

In most cases a staff lawyer assigned to the case may make a recommendation to the compensation fund's review committee, which makes a final decision. In certain cases a referee – a lawyer or retired judge – will hear claims. The referee then prepares a written report for the review committee.

Typical losses fully or partially covered by the Fund include money stolen from estates, money taken from trust funds held for real estate closings, and money taken from settlements and in personal injury cases. ♦

Recently the Law Society and your Committee (Review Committee) reviewed and considered my application claim as made against the Lawyers Fund for Client Compensation... I found that I was extremely impressed with the thoroughness and fairness provided by the Society and your Committee with my application. In particular, I would like the Committee to be aware of my heartfelt appreciation for the efforts, knowledge, impartiality and courtesy provided by your counsel...

Complainant

Promoting equity and diversity

Ensuring access to justice and creating a more representative, more inclusive legal profession continues to drive the Law Society's equity and diversity initiatives. Guided by the *Bicentennial Report on Equity Issues in the Legal Profession* and the *Bicentennial Implementation Status Report*, we worked to implement many of the recommendations and advance the goals of equity and diversity.

In fact, the Bicentennial Report Working Group (established in July 2003 and chaired by Bencher Joanne St. Lewis), in its Information Report to Convocation in January 2004, noted that it was "impressed by the wide-ranging initiatives the Law Society has undertaken to implement the Bicentennial Report. Many of the initiatives have made the Law Society the role model to be emulated by the profession."

It also pointed out that the Law Society has made substantial progress in implementing recommendations in the areas of:

- Study and research
- Resource to the profession
- Creating an Equity Initiatives Department
- Student support
- Continuing legal education
- Rules of professional conduct
- Accreditation of foreign-trained lawyers
- Requalification

Research and demographic data are essential to our development of policies and programs that promote equality in the workplace. To this end, the Law Society in 2004 released several major studies by leading academics and legal experts, which serve to assist and inform our equity initiatives.

These include *Turning Points and Transitions: Women's Careers in the Legal Profession*, *Diversity and Change: The Contemporary Legal Profession in Ontario* and *The Changing Face of the Ontario Legal Profession, 1971-2001*. An accessibility study prepared by Ontario law schools was also a source of important data. In addition to providing statistical information, these studies, along with the demographic composition of call to the Bar candidates, confirm that the legal profession is indeed becoming more representative of the population it serves.

When ARCH presented its Disability Law Primer CLE in Toronto and other Ontario centres, we partnered with the Equity department of the Law Society, along with Pro Bono Law Ontario and the Law Foundation of Ontario. The department was a most enthusiastic partner, providing the tangible support of location, promotion and materials production costs, and the intangible support that comes from sincerely valuing our project – providing training to lawyers ready to represent persons with disabilities.

Phyllis Gordon, Executive Director,
ARCH, A Legal Resource Centre
for Persons with Disabilities

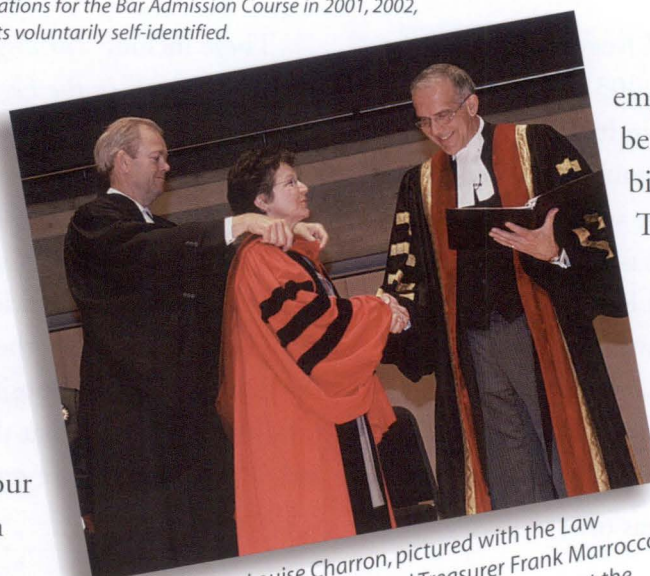
Promoting equity and diversity

	% of General Population, Based on 2001 Census Data	% of Total Bar Admission Course Students in 2001	% of Total Bar Admission Course Students in 2002	% of Total Bar Admission Course Students in 2003	% of Total Bar Admission Course Students in 2004
Women *	51.2%	53%	53%	53%	55.1%
Visible Minorities**	19%	20%	16.5%	16.5%	21.5%
Francophones**	4.3%	5%	5.4%	5.4%	6.6%
Aboriginal Peoples**	1.6%	1%	1.7%	1.7%	1.9%

* Based on applications for students who entered the Bar Admission Course in 2001, 2002, 2003 and 2004. In 2004, 1,376 students enrolled in the Bar Admission Course.

** Percentages obtained from applications for the Bar Admission Course in 2001, 2002, 2003 and 2004, in which applicants voluntarily self-identified.

The Law Society continued to lead the way as both a role model and as a resource through the adoption of a new model policy, *Sexual Orientation and Gender Identity: Creating an Inclusive Work Environment*. Much like our existing model policies on workplace equity, flexible work arrangements and accommodation, this new policy acts as an important resource for law firms and other organizations in promoting equality rights and in providing



Madam Justice Louise Charron, pictured with the Law Society's CEO Malcolm Heins and Treasurer Frank Marrocco, is awarded an honorary degree of Doctor of Laws at the Call to the Bar ceremony in Toronto last July.

employment and pension benefits for gay, lesbian, bisexual, transgender and Two-Spirited individuals.

We also made significant strides in promoting greater equity and diversity through training programs, speaking engagements and continuing legal education programs customized for law firms. In 2004, we

developed more than 10

customized training programs for lawyers and staff in legal organizations in various regions of Ontario.

In 1999, as a demonstration of the Law Society's commitment to eliminate discrimination and harassment in the workplace we created the Discrimination and Harassment Counsel (DHC) Program. In 2004, we strengthened this commitment with the creation, and appointment of, an Alternate Discrimination Harassment Counsel. We also expanded the mandate so that the DHC may provide advice to members of the Law Society who believe they have been the subject of discrimination and or harassment in the workplace by a non-member.

The support offered by the Law Society, such as helping to organize the annual AJEFO conference, is particularly important and demonstrates the Law Society's commitment to promoting French language services. The Law Society programs offered in French, including the Bar Admission Course, mentoring program, model policies and the Web site are critical resources for Francophone members of the legal profession in Ontario.

Daniel Boivin, President
Association des juristes d'expression française

COLLABORATING WITH COMMUNITIES

Collaboration with advocacy groups, community agencies and legal associations has been a hallmark of our equity initiatives. We believe that by working in collaboration with our stakeholders we can do more to promote equity and diversity in the profession than if we worked alone.

Our equity working groups, which identify and provide advice and input on equality issues, include representation from the Canadian Association of Black Lawyers, *Association des juristes d'expression française de l'Ontario* and the South Asian Legal Clinic of Ontario, to name a few.

For example, the Law Society partnered with AJEFO to organize the 25th annual AJEFO conference last June. Treasurer Frank Marrocco, a keynote speaker at the conference, discussed the evolution of French legal services in Ontario since

the creation of the Law Society and noted the important contribution made by the Francophone legal community in promoting access to justice in both official languages. The Treasurer also announced that the provincial plaque commemorating the inauguration of the Law Society of Upper Canada, first erected in the English language in Niagara-on-the-Lake in 1969, would be translated into French and erected in both official languages in 2005.

Members of the profession and the public have attended our public education events in record numbers. These events encourage the exchange of information, ideas and action on legal issues relating to the rights and needs of the Aboriginal, Francophone and equality-seeking communities. Most of our events in 2004 attracted capacity crowds that included many groups and individuals new to these types of forums.

Since SALCO's inception, the Law Society has provided invaluable support on numerous levels. The Law Society encourages and enables SALCO's delivery of public legal education seminars as well as co-hosts various events. These events and seminars are an important aspect of the shared goal to advance the cause of justice.

Mehreen Raza, Project Manager
South Asian Legal Clinic of Ontario

Our participation in the Equity Advisory Group is another way the Law Society of Upper Canada has given our members a voice. Not only has the Law Society been supportive, it has also taken an active role in the promotion of the celebration of Black History Month by hosting an annual event and seeking our collaboration on topics for discussion.

Sue-Lynn Noel, Former President
Canadian Association of Black Lawyers

There's been a tremendous change in our legal culture, in terms of recognizing the legitimate aspirations of the Aboriginal people for justice. The mere fact that the Law Society is holding this event today (Louis Riel Day), the fourth such annual program, is a sign of progress.

The Honourable Mr. Justice Todd Ducharme,
Ontario Superior Court of Justice
Keynote speaker at the Law Society's 2004
Louis Riel Day commemoration



Promoting equity and diversity



I'm very proud as a lawyer and a member of the Law Society that the Law Society is hosting this reception and is so much changed from 20 years ago, has become progressive and understanding.

**The Honorable David Miller
Mayor of Toronto**

**Bringing greetings at the Law Society's
Pride Week Reception, June 2004**

We celebrate days and months of significance throughout the year, such as Black History Month in February, Pride Week in June and Louis Riel Day in November. The Law Society commemorated these occasions with public legal education forums. We are also making the panel discussions and keynote addresses available to wider audiences through archived Web casts. More than seven public legal education forums were held in 2004. For 2005, nine such events have been planned.

STUDENT OUTREACH AND MENTORSHIP

The Law Society's support for equity and diversity principles also extends to students. We promote law as a career choice for young people in order to make the profession more representative of the Ontario's communities.

In 2004, the Law Society in conjunction with the Native Law Student Association of the University of Toronto and the Aboriginal Law Student Association of Osgoode Hall, York University, hosted its first career symposium giving Aboriginal students an opportunity to meet with Aboriginal members and leaders of Ontario's legal profession. As a result of the success of the symposium, in 2005, the program has been expanded to include students from all Ontario law schools.

This new program complements other Law Society programs such as the Aboriginal Elders' Student Supports and the Student Success Centre. These programs offer students guidance, support and services, as well as accommodation for students with special needs.

Central to the Law Society's student outreach efforts is the Equity and Diversity Mentorship

Program, which promotes law as a career choice and assists law students and recent calls to the Bar by matching mentors – experienced members of the Bar – with new lawyers, students-at-law, students in law school as well as university and high school students. In 2004 more than 100 members of the Law Society volunteered for mentorship.

Through these initiatives the Law Society is making steady progress in ensuring the legal profession reflects the communities it serves. We intend to keep building on these efforts in 2005. ♦

It's a great privilege to practise law. I view it as my duty as a lawyer to encourage others to enter the profession. I see myself as a representative of my profession.

**Ritu Bhasin
Director of Student and
Associate Programs.
Stikeman Elliott LLP**

Reaching out to the publics we serve

Enhancing our communications and outreach efforts with members of the public and legal profession continues to be a key function at the Law Society.

As a regulatory body with a public interest mandate, it is important for all our stakeholders to understand our role, the services we provide and how we govern effectively.

As technology continues to dominate the environment in which we operate, tools like the Internet are emerging as primary communications vehicles to reach our audiences.

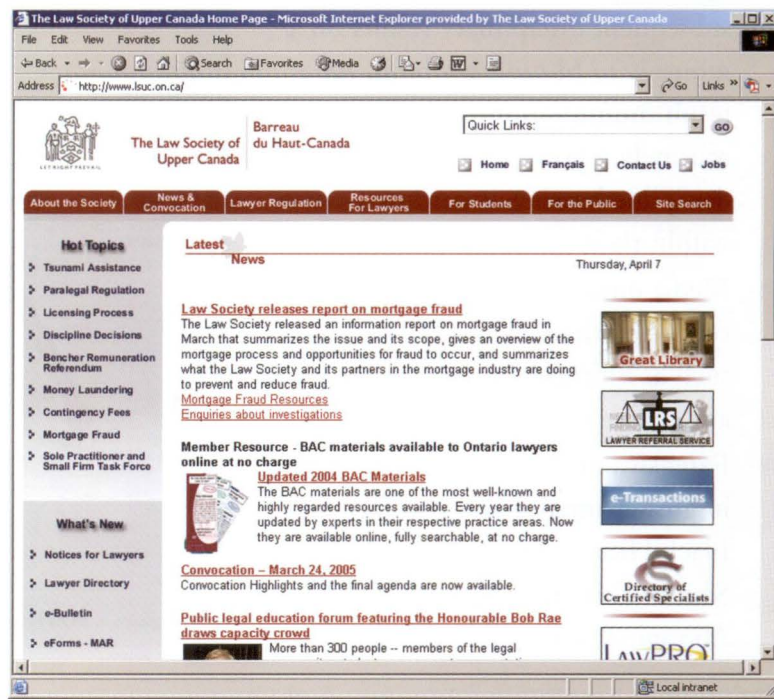
In 2004, we focused our efforts to:

- Provide important news and information to members of the profession and the public in a timely, useful and relevant manner.
- Make it easier for our stakeholders to access the Law Society's products and services.

While technology helps us reach many stakeholders, we recognize that to be accessible to all, other communications methods are necessary. In 2004, we continued to employ an integrated strategy to communicate with our various stakeholders through a range of cost effective methods that combined media relations, Web-based technology and publications.

Media Relations

The Law Society places a high level of importance on developing relationships with the media, which continues to serve as an important information



source for members of the public and the legal profession.

Our media relations efforts in 2004 focused on making the organization and our regulatory processes more transparent – to help the community better understand how we regulate the profession in the public interest, the services we offer and how the Law Society can help them.

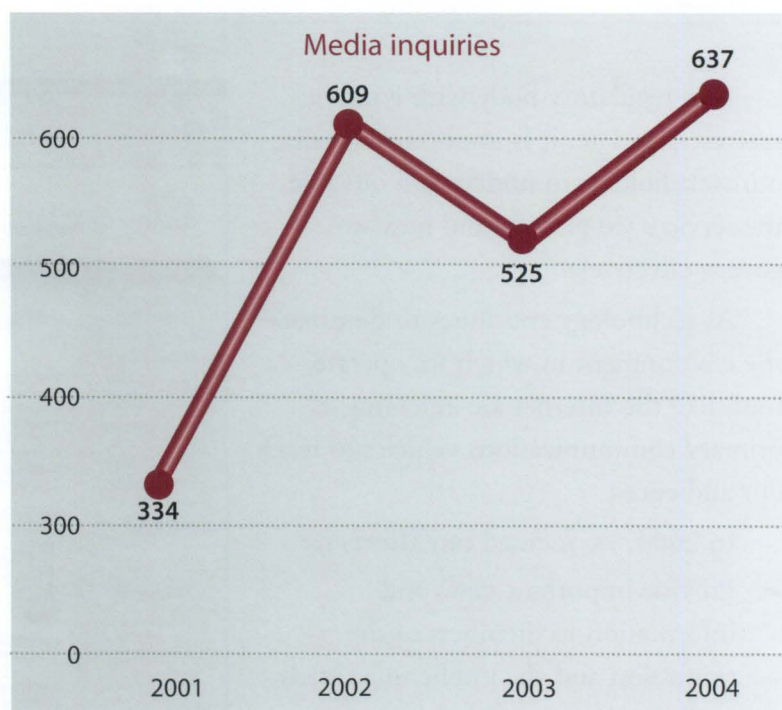
Last year we continued to conduct extensive media relations to increase public awareness and we proactively pursued media opportunities to raise the profile and impact of key legal issues on lawyers and members of the public.

Reaching out to the publics we serve

Specifically in 2004:

- The Law Society distributed 87 media releases, community notices and other announcements (62 in English and 25 in French) on a range of issues of importance to the public and the legal profession.
- We continued to distribute a list of upcoming discipline hearings and subsequent disciplinary results on a monthly to bi-monthly basis. As a result, numerous media outlets routinely report the results of discipline hearings regarding lawyers within their communities.
- Media outlets and reporters also contacted the Law Society on issues such as mortgage fraud, various rules and self-regulation.
- Extensive media pitching also resulted in greater interest and coverage of Black History Month, Law Week, South Asian Heritage Month, National Aboriginal Day and PRIDE Week.

The Law Society had a record of year in the number of media inquiries we received in 2004 compared to the previous three years. In 2004, staff handled 637 requests from reporters and editorial writers, compared to 525 for 2003, 609 in 2002 and 334 in 2001.



MAXIMIZING TECHNOLOGY TO COMMUNICATE BETTER IN A RAPIDLY CHANGING ENVIRONMENT

Technology plays a significant and growing role in the delivery of services and information to all our stakeholders – our members, the public, government departments and agencies, and our employees.

Web technology continues to grow in importance as more and more people turn to the Internet for their information needs and research.

For many of our stakeholders, the Law Society Web site (www.lsuc.on.ca) is the “go to site” for news and information about the organization, legal issues and trends. We know this through Web evaluation research we conducted in 2004 in which

we asked members of the public and the profession to express their views and tell us whether their information needs and expectations are being met.

One of the reasons the Law Society Web site is successful is because it is an information-based resource. There are currently over 20,000 pages on the site containing large volumes of useful information for a diversified audience base.



The LSUC should be very proud of their Web site and the extent to which it fulfills the potential of providing lawyers with national and international

connections with legal affairs that would otherwise be lost to them. I think the LSUC Web site is unique in both purpose and quality.

Gail Davidson

Lawyers Rights Watch Canada

The research reinforced areas in which we began planning enhancements in 2004. For example, we began to develop a strategy to improve the site's search function and enhance navigation to guide users more efficiently through the content, as well as incorporate a print-friendly function, improve accessibility, among other useful improvements.

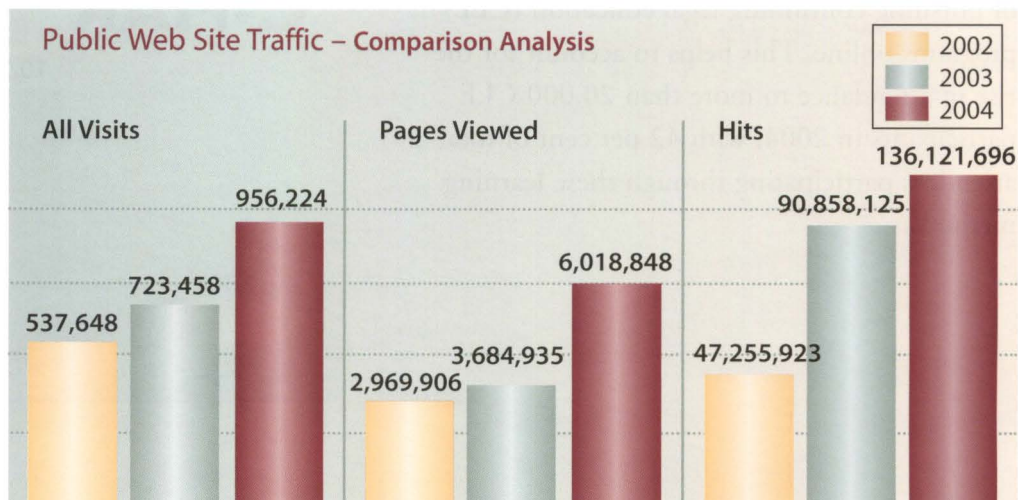
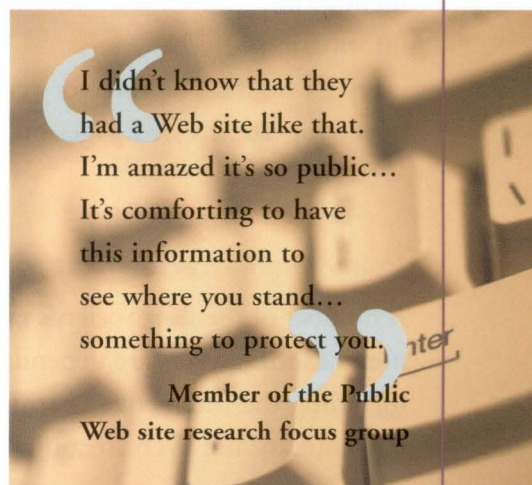
In 2004 we made further improvements to our public site to enhance navigation, content and search capabilities, resulting in higher overall Web traffic and hits to the site.

We are now tracking approximately 13 million hits a month. In 2004, we tracked over 136 million hits, compared to a little more than 90 million in all of 2003. That represents a 50 per cent increase in hits from 2003.

Content on the home page is updated daily with breaking news and information of interest to the profession and the public – accounting for why daily traffic to the site is so high.

The Web site is particularly helpful for members of the public. For those who don't know how to find a lawyer, the site provides direction to our Lawyer Referral Service, as well as our online lawyer directory and directory of certified specialists. There is also detailed information about our complaints process and the Lawyers Fund for Client Compensation, as well as direction to other legal resources, including legal aid, pro bono services and equity and diversity links.

Members can use the site to keep up to date on important issues that affect the legal profession as well as changes in the *Rules of Professional Conduct*, by-laws and other regulations. They can also access a wide range of resources including practice management support and



membership services through the site's Member Resource Centre.

On-line Lawyer Directory

To make it easier for members of the public to find contact details for a lawyer, the Law Society has a lawyer directory that automatically updates membership information

every 24 hours. The directory continues to be one of the top 10 accessed pages on the Law Society's Web site.

Professional Development through technology

A number of the Law Society's most popular learning methods for lawyers are dependent on technology, including the Interactive Learning Network, teleseminars and Web streaming. Such initiatives allow lawyers the convenience and cost efficiency of pursuing continuing legal education (CLE) programs online. This helps to account for the rise in attendance to more than 20,000 CLE participants in 2004, with 42 per cent of total attendees participating through these learning methods.

Top 10 most requested pages

Home page
Member Directory Search Result Page
Member Directory
For Students
For the Public
Member Resource Centre
Lawyer Regulation
Site Search
Finding a Lawyer
Lawyer Referral Service

E-learning

The e-learning site allows all students enrolled in the Bar Admission Course to access course lectures, video presentations, and text materials online. Lectures can be viewed live while in progress, or later at the student's convenience in an archived format. Practice examinations and marking guides are also available for review.

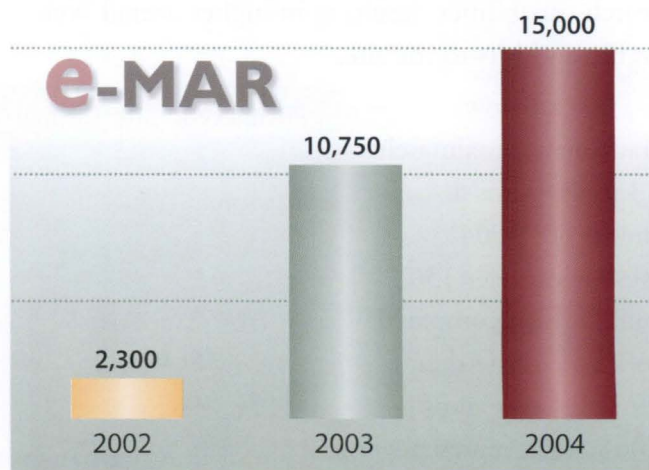
There were 67,496 visits to the e-Learning site in 2004, representing a 21 per cent increase from 2003.

Electronic Transactions

As a service for lawyers, the Law Society enables lawyers to file their Members Annual Report (MAR) electronically, through the eForms on the Web site. The eForms system is easy to use as an alternative to paper filing and is available on the public's Web site in English or French.

*“Out of 10, it is an 11.
I really thought it would
have next to nothing.
Now I feel bad that I didn't
know about it before.
Now I feel obligated
to mention it to
my colleagues.”*

Lawyer
Web site focus group



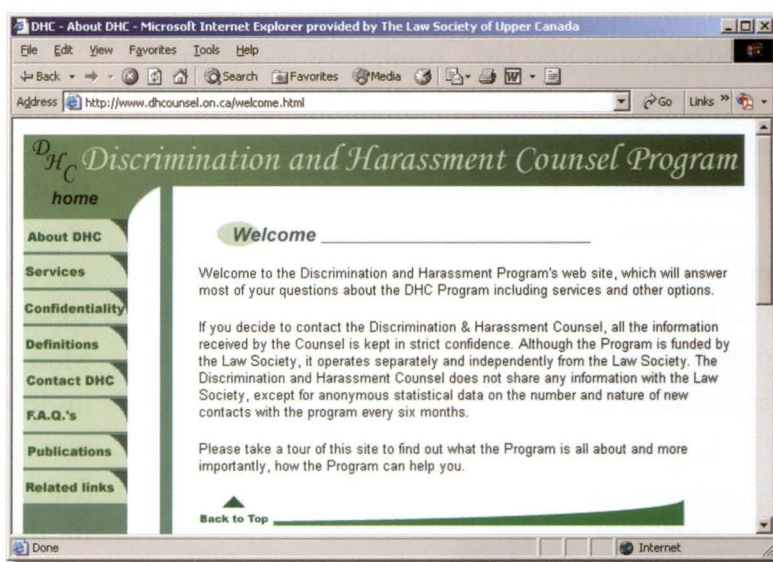
In 2004, 43 per cent of all MARs were filed electronically. More than 15,000 lawyers took advantage of this convenience, representing an increase of almost 40 per cent in usage from the previous year.

Lawyers can also conduct a range of other transactions online through the Law Society's e-commerce site. Through e-Transactions at <http://ecom.lsuc.on.ca> lawyers can pay their fees, register for continuing legal education programs and purchase course materials online.

In 2004 the Law Society continued to communicate with members via e-mail about important issues and breaking news. We will continue to promote electronic communication and service delivery in 2005, especially with more than 26,000 lawyers indicating they can receive information by e-mail.

Discrimination and Harassment Counsel Web Site

To increase public awareness of the Discrimination and Harassment Counsel (DHC) Program and provide members of the public and the profession with information and options, the Law Society continued to support the operation of comprehensive Web site for the program. The Web site contains valuable information about the program, frequently asked questions, links to publications and other helpful resources.



"THE RIGHT INFORMATION AT THE RIGHT PLACE AT THE RIGHT TIME"

Other technology business enhancements

In 2004, the Law Society initiated other technology enhancements to strengthen the operational infrastructure needed to successfully continue to deliver on our mandate and to ensure the security of information.

For example, the Law Society completed the implementation of its Disaster Recovery Infrastructure that provides alternative facilities for designated key/essential staff, and continuity of essential computer operations, in the event of

Osgoode Hall facilities not being available in a crisis situation. In 2005, we will continue testing and refining our Disaster Recovery capabilities.

Another key initiative we started in 2004 was an information assessment study that is helping us improve how the Law Society's computer systems data are stored, accessed, analyzed and protected. The goal of this project is to ensure our vital data and information continues to be effectively managed as a strategic asset.

Technology will continue to play a significant and growing role in the delivery of services to all our stakeholders – our members, the public, government departments and agencies, and our employees. We will continue to strengthen our capabilities and deliver the applications and technologies to ensure that we have ***“the right information at the right place at the right time,”*** and to do so in an effective and cost-efficient manner.

Ontario Lawyers Gazette

Given the rapidly changing legal environment, the proliferation of new laws, regulations and other statutory requirements and other developments in the practice of law, the *Ontario Lawyers Gazette* continues to be an important information source. The *Ontario Lawyers Gazette* (OLG) is the primary publication the Law Society produces to deliver timely information of interest and relevance to the province’s more than 35,000 lawyers, as well as legal stakeholders and government officials.

In 2004, the Law Society undertook a quantitative survey of lawyers concerning their

usage and impressions of sources of information about the legal profession and the practice of law, with particular emphasis on the OLG.

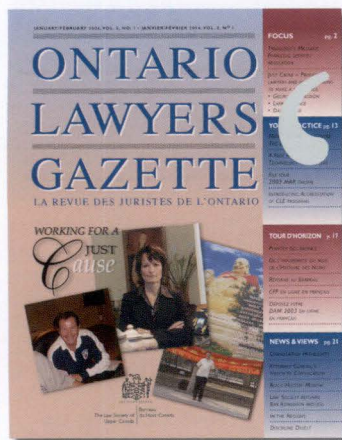
Overall, the findings from the survey show that the OLG is continuing to meet its readers’ expectations and the objectives of the OLG. Both the writing and visual appearance of the OLG received high ratings, with six-in-ten members rating it either as “excellent” or “good”.

Members of the Law Society are also satisfied with most of the types of news and information that appear in the OLG.

Most highly rated were focus pieces that take an in-depth look at major issues, which 91 per cent of members said they were “very interested” in reading. This helps to explain the high rate of feedback for the new regular feature, *Just Cause* which spotlights practitioners and firms who through their work, are helping to make a difference.

“Just wanted to let you know that as a new member of the profession, I am enjoying the Gazette. I like the diversity of topics and particularly enjoy the focus on the positive work being done by so many members of the Bar.”

Newly called lawyer



I enjoyed reading the Just Cause article in the last issue of the Gazette. It was helpful in highlighting the many ways lawyers put their law degree to good use. Articles like that definitely have their

place. In fact, one of the reasons I came to the event [to commemorate the 10th anniversary of the genocide in Rwanda] was because the article had introduced me to Georgette Gagnon.

Lawyer

Public Brochures

The Law Society also distributes a series of brochures for the public to help them understand how we can help with their concerns or questions. The brochures also address some questions we receive on issues that are not within our jurisdiction, and provide direction to appropriate resources. We distributed approximately 10,000 of these brochures in 2004.

We also produced a new brochure on Mentorship that focuses on our efforts to match interested students and new lawyers with mentors in their communities. ❖

Fostering an informed and inclusive workforce

The Law Society continues to foster a work environment where all employees have the opportunity to grow professionally and contribute to the Law Society's success as a regulator. This is important in establishing the Law Society as an employer of choice and absolutely essential in providing members of the public and the legal profession with the quality of services they deserve.

In 2004, we undertook several initiatives to ensure that the development of our human resources talent is nurtured and directed. Our approach is to give employees the means to develop and enhance skills and competencies in their daily activities as well as through specific training and development opportunities. The Law Society offered employees and managers more than 38 learning and training seminars and workshops during the course of the year. These programs included everything from preventing harassment and discrimination to effective project management and leadership.

Employee development opportunities are just one way the Law Society ensures a pool of talent. The other is a diversified workforce. We are dedicated to hiring capable employees who are reflective of the communities we serve. We complement this effort by continually promoting diversity and equity within the Law Society through developmental opportunities and education and training programs that encourage a positive work environment that is fair to all.

These initiatives help us develop unique points of view and perspectives that can translate into new services and solutions. It is worth noting that of the 400 employees comprising the Law Society's workforce, more than 70 per cent are women – more than 60 per cent of who are in managerial positions. We also have significant and growing representation of employees from equality-seeking groups.

One of our foremost human resource priorities is to cultivate an atmosphere that is collegial, open and flexible. The results of our 2004 employee satisfaction survey indicate that we are succeeding. According to the survey, relationships between employees and immediate managers are strong and overall employee satisfaction scores are above the norm for Canadian and American organizations conducting comparable surveys.

It's also worth noting that the Law Society has one of the lowest employee turnover rates in the not-for-profit and public service sector. Given the high cost of recruiting new employees, the advantages in retaining a high-calibre, committed workforce are significant.

Fostering an informed and inclusive workforce

Our efforts to become an employer of choice were rewarded with the Law Society's inclusion as one of "Canada's Top 100 Employers" by *Maclean's* magazine in October 2004 – a distinction we have earned for two consecutive years. More than 6,000 employers from across the country competed for a spot in the top 100 list. Finalists were graded in several categories, including performance management, training and skills development, physical workplace and internal communications.

We are honoured to be included among Canada's best practice organizations and particularly proud of our No. 7 ranking on the *Maclean's* list of top 10 employers for promoting women. In addition to the large female workforce, eight out of ten members of the Law Society's Senior Management Team are women.



CEO breakfast with employees.

Companies that make it onto the (Top 100 Employers) list are looking at things beyond what's required... These companies are acting as agents of change.

Richard Yerema
Author of Canada's Top 100 Employers

As the Law Society moves forward, being an employer of choice will continue to be an organizational priority. By creating a workplace environment that is progressive, fair and principled, we demonstrate the value we place on our employees and those they serve: the people of Ontario and the legal profession. ❖

Canada's Top
100
Employers

Managing our financial resources to deliver our public interest mandate



As the regulator of the legal profession, the Law Society of Upper Canada is primarily funded by lawyers. Each year, Ontario lawyers pay membership fees to support the operations of the Law Society, the Lawyers Fund for Client Compensation and County Law Libraries.

The Law Society's financial position continued to be solid in 2004, with surpluses for the year of \$1.8 million in the General Fund and \$2.1 million in the Compensation Fund.

General Membership Fee

The General Membership fee funds Law Society operations, particularly professional regulation and professional development and competence. All operational areas are experiencing increased volumes and providing increased service levels.

In 2004, the largest portions of the Law Society resources continued to be directed to supporting these functions.

- 22 per cent (\$10.0 million) of annual operating expenses was spent on our regulatory responsibilities. In recent years, we have increased the funding necessary to conduct investigations with a particular emphasis on mortgage fraud. A total of 15 per cent of the \$10 million Professional Regulation budget was allocated solely to investigating and prosecuting mortgage fraud in both 2003 and 2004. We expect to spend an additional \$1 million to fight mortgage fraud in 2005.
- 37 per cent (\$17 million) was dedicated to programs and initiatives to help improve students and lawyers' professional development and competence. In 2004, we also saw our professional development and competence revenues exceed budget by \$1.2 million due

Membership Fee Components

	2005	2004	CHANGE
General Membership Fee*	1,035	1,014	21
Lawyers Fund for Client Compensation	200	230	(30)
County Law Libraries	206	197	9
Total	1,441	1,441	–

* Great Library expenditures are covered through General Membership Fee.

to the increased participation of students and lawyers. Professional development and competence expenses rose in line with revenues as resources were allocated to ensure appropriate product and service levels.

Lawyers Fund For Client Compensation

The Lawyers Fund for Client Compensation ended 2004 with an accumulated Fund balance of \$19.5 million, an increase of \$2.1 million as claims experience remains favourable for the Fund.

This contributes to the solid financial position of the Fund and supports the 2005 budget decision to eliminate our insurance and to reduce the Fund levy from \$230 per member to \$200.

Managing our financial resources our public interest mandate

Library Services

Ontario lawyers continue to support three types of library-related services through their fees: County and District Law Libraries (through LibraryCo Inc.), the Great Library and the Canadian Legal Information Institute (CanLII).

The County Law Library portion of the 2004 membership fee (\$197 per member) substantially funded total LibraryCo expenditures of \$7 million in 2004. In 2004, \$3 million was also allocated to the Great Library and an additional \$610,000 was allocated to CanLII.

Capital Expenditures

In February 2004, Convocation approved the renovation of the North Wing of Osgoode Hall. The \$9 million project is being financed through operating surpluses from fiscal 2003 and 2004, which have accumulated in the Capital Allocation Fund.

The renovations, that began in 2004 for completion in 2006, will provide significant operational and financial benefits allowing us to:

- Optimise the use of the class room space on the 3rd and 4th floors that was previously only properly used when the Bar Admission Course was in session.
- Improve work flow and processes to make the delivery of our services more effective and efficient.
- Enhance the professional look and feel of the building's interior while respecting the historical elements of the site. This includes renovation of the Lecture Hall and surrounding area on the 1st floor, which is the area most accessed by members and the public.

- Significantly improve accessibility for those with disabilities, as recommended by the Bicentennial Report on Equity in the Profession.

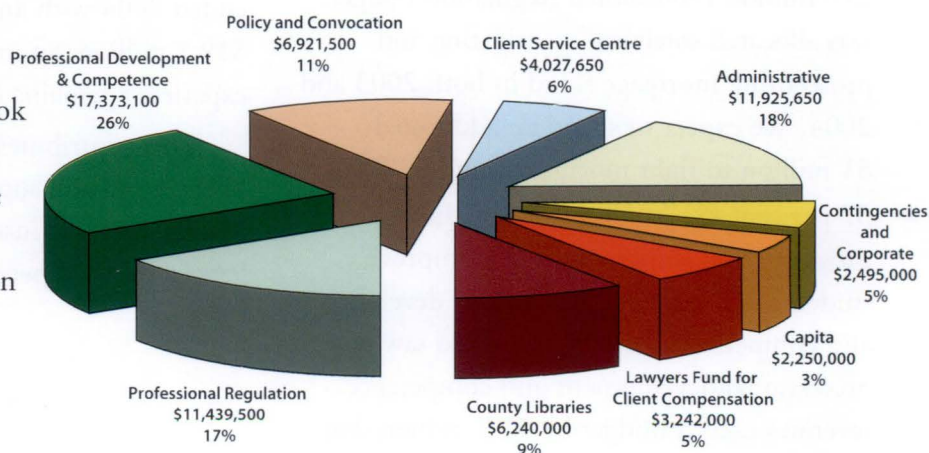
Overall Membership Levy

The funding for all of this was achieved without increasing the membership levy for 2004.

In 2005, the overall membership levy also remains unchanged at \$1,441, in large measure due to the stabilization of the Compensation Fund and the transfer of the 2004 surplus. In 2004, the membership increased by approximately 700 members, bringing the overall membership to more than 35,000. Increased pressure on the Law Society's services and demands from the membership and the public will pose a budgetary challenge in 2006.

The 2005 operating budget is the fourth consecutive budget to provide appropriate funding to enable us to continue fulfilling our mandate and provide additional programs and services, while at the same time reducing or holding the line on total fees. The Law Society is on a solid financial footing, with strong reserves and a sustainable fee level. ♦

Gross Expenditures by Function – 2005 Budget



ANNUAL GENERAL MEETING, 2005

Wednesday, May 11, 2005

at 5:15 p.m.

Osgoode Hall, Toronto

ORDER OF BUSINESS

Minutes of the previous Annual General Meeting

Report of the work of the Society and the committees
of Convocation

Presentation of the audited financial statements

Matters of professional interest that are related to the work
of the Society

Convocation Membership



CHANGES IN THE MEMBERSHIP OF CONVOCATION

NEW BENCHERS

Mark J. Sandler was elected a bencher on May 28, 2004, to fill the vacancy resulting from the appointment of Todd Ducharme to the Superior Court of Justice.

DEATHS

Gordon H.T. Farquharson, Q.C., LSM, a life bencher, passed away on June 13, 2004.



Photograph of benchers in attendance
at Meeting of Convocation,
April 28, 2005.

BENCHERS OF THE LAW SOCIETY OF UPPER CANADA

Treasurer

Frank N. Marrocco, Q.C.

Elected Benchers

Robert B. Aaron
Constance Backhouse, LSM
Larry Banack
Gordon Bobesich
Peter N. Bourque
John A. Campion
Kim A. Carpenter-Gunn
James R. Caskey, Q.C.
Earl A. Cherniak, Q.C.
Paul Copeland
Carole Curtis
Mary Louise Dickson, Q.C.
Abraham Feinstein, Q.C.
Neil Finkelstein
Alan D. Gold
Gary Lloyd Gottlieb, Q.C.
Holly Harris
Thomas G. Heintzman,
O.C., Q.C.
George D. Hunter
Gavin MacKenzie
Ronald D. Manes
Robert Martin
W.A. Derry Millar
Ross W. Murray, Q.C.
Tracey O'Donnell
Laurence A. Pattillo

Laurie H. Pawlitza
Julian Porter, Q.C.
Judith M. Potter
Heather J. Ross
Clayton Ruby
Mark Sandler
Alan G. Silverstein
William J. Simpson, Q.C., LSM
Joanne St. Lewis
Gerald A. Swaye, Q.C.
Beth Symes, LSM
Robert C. Topp
Bonnie R. Warkentin
Bradley H. Wright

Appointed Benchers

Andrea Alexander
Abdul A. Chahbar
Andrew F. Coffey
Anne Marie Doyle
W. Paul Dray
Sy Eber
Richard Filion
Allan Gotlib

Ex-Officio Benchers

The Hon. John D. Arnup,
Q.C., LSM
Marion Boyd
The Hon. Michael J. Bryant
Ronald W. Cass, Q.C., LSM

The Hon. W. Dan Chilcott, Q.C.
John T. Clement, Q.C.
Austin M. Cooper, Q.C.
E. Susan Elliott, LSM
The Hon. George D.
Finlayson, Q.C.
James M. Flaherty, MPP
Patrick Garret Furlong,
Q.C., LSM
The Hon. Edwin A. Goodman,
P.C., O.C., Q.C.
Howard G. Hampton, MPP
Charles A. Harnick, Q.C.
Prof. Vern Krishna,
C.M., Q.C., FRSC
The Hon. Allan F. Lawrence,
P.C., Q.C., LSM
Laura L. Legge, O. Ont., Q.C.
Daniel J. Murphy, Q.C.
Brendan O'Brien, Q.C.
The Hon. Alan W. Pope, Q.C.
The Hon. Sydney L. Robins,
Q.C., LSM
The Hon. Allan M. Rock,
P.C., Q.C.
Arthur R.A. Scace, C.M., Q.C.
Ian G. Scott, Q.C.
Norm Sterling, MPP
Harvey T. Strosberg, Q.C.
J. James Wardlaw, Q.C., LSM
Roger D. Yachetti, Q.C.
David S. Young

Honorary Benchers

His Royal Highness Prince Charles, Prince of Wales
The Right Honourable Margaret Thatcher
Kenneth P. Jarvis, Q.C., RCA
The Honourable Lincoln M. Alexander, Q.C.



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shebditch@libraryco.ca

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This report is available on the Law Society
of Upper Canada Web site: www.lsuc.on.ca.

For additional copies, please contact the
Communications and Public Affairs Department
at 416-947-5220.



LET RIGHT PREVAIL

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